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## NOTICE OF ALLOWANCE AND FEE(S) DUE

65913 7590 02/17/2010

NXP, B.V.  
NXP INTELLECTUAL PROPERTY & LICENSING  
M/S41-SJ  
1109 MCKAY DRIVE  
SAN JOSE, CA 95131

EXAMINER

LEBOVICH, YAIR

ART UNIT

PAPER NUMBER

2114

DATE MAILED: 02/17/2010

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/542,181

07/13/2005

Vladimir Pisarski

US03 0013 US2

7816

TITLE OF INVENTION: PREVENTING DISTRIBUTION OF MODIFIED OR CORRUPTED FILES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	05/17/2010

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE  
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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65913 7590 02/17/2010

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## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/542,181 07/13/2005 Vladimir Pisarski US03 0013 US2 7816

TITLE OF INVENTION: PREVENTING DISTRUBTION OF MODIFIED OR CORRUPTED FILES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional NO \$1510 \$300 \$0 \$1810 05/17/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
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LEIBOVICH, YAIR 2114 714-048000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_
- 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/542,181	07/13/2005	Vladimir Pisarski	US03 0013 US2	7816
65913	7590	02/17/2010	EXAMINER	
NXP, B.V. NXP INTELLECTUAL PROPERTY & LICENSING M/S41-SJ 1109 MCKAY DRIVE SAN JOSE, CA 95131			LEBOVICH, YAIR	
			ART UNIT	PAPER NUMBER
			2114	
			DATE MAILED: 02/17/2010	

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 474 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 474 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/542,181	PISARSKI, VLADIMIR	
	<b>Examiner</b>	<b>Art Unit</b>	
	YAIR LEIBOVICH	2114	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/14/2010.
2. ☒ The allowed claim(s) is/are 2-3, 8-9, 15-19, 21-24, 26-31, and 34.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date ____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date ____     | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other ____.   |

/Yair Leibovich/  
Examiner, Art Unit 2114

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments, filed 1/14/2010, with respect to amended independent claims have been fully considered and are persuasive.

### *Examiner's Amendment*

2. The following amendment is necessary to avoid an objection and/or a 35 U.S.C. 112 second paragraph rejection. For emphasis, the amendment is **adding a period at the end of the claim.**

#### Claim 26:

An administrator node in a distributed communications network for exchanging information files among a plurality of nodes, the administrator node configured to: receive a discrepancy report from a reporting node. the discrepancy report identifying a source node and an information file, verify the discrepancy report, and modify a trustworthy-measure associated at least one node of the plurality of nodes, based on whether the discrepancy report is valid: and wherein the discrepancy report is based on a comparison of a code computed by the reporting node to an identifying code corresponding to contents of the information file at a prior time to determine that the discrepancy report identifies a discrepancy that is not due to a communication error, the administrator node is configured to verify the discrepancy report by: receiving the information file from the source node, and determining a verification code based on received content of the information file, and comparing the verification code to the identifying code.

***Allowable Subject Matter***

3. The following is an Examiner's statement of reasons for the indication of allowable subject matter; the claims are allowable because the examiner found neither prior art cited in its entirety, nor based on the prior art, found any motivation to combine any of the said prior arts.

4. Claims 2-3, 8-9, 15-19, 21-24, 26-31, and 34 are allowed over the prior art of records.

For Independent claim 2,

- Prior art has been found to teach "A method of affecting a trustworthy-measure associated with a source node in a distributed network, the method comprising: receiving an information file from the source node and a corresponding identifying code that is based on content of the information file when the information file is introduced to the network, and computing an associated code based on received content of the information file: comparing the associated code with the identifying code; transmitting an error report to an administrator node, the error report identifying the source node and the information file, when at least one of the following occur: the associated code does not correspond to the identifying code, and the content of the information file is abnormal; verifying the error report by the administrator node; and reducing the value of the trustworthy-measure associated with the source node in response to the administrator node verifying the error report, thereby providing the reduced-value trustworthy measure for evaluating subsequent use of the source node; ..."

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- Since, no prior art was found to teach:” ... wherein transmitting an error report includes transmitting an error report in response to the step of comparing indicating that a difference between the associated code and the identifying code is not caused by a communication error, and further including: repeating the receiving, computing, and comparing steps prior to transmitting the error report” as it pertains to the other portions of the claim as a whole, in a manner that would motivate a person of ordinary skill in the art at the time the invention was made to combine it as an obvious inclusion,
- The examiner found the invention as claimed to be novel, and allowed it to be patented.

For Independent claim 8,

- Prior art has been found to teach “A method of facilitating control of distribution of modified or corrupted files in a distributed network, the method comprising: providing a catalog of available files to nodes of the distributed network, the catalog identifying each file of the available files and a corresponding source node of each file, processing an error report from a target node that received a downloaded file from a selected source node, verifying the error report, degrading a trustworthy-measure of at least one node of the distributed network based on a result of verifying the error report, and providing the trustworthy-measure of the at least one node to other nodes of the distributed network; wherein verifying the error report is based upon an identifying code corresponding to an original version of the downloaded file,...”

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- Since, no prior art was found to teach:" ... and verifying the error report includes receiving the downloaded file from the selected source node by an administrator node, computing a verification code based on content of the downloaded file received by the administrator node, comparing the verification code with the identifying code, and verifying the error report when the verification code does not correspond to the identifying code." as it pertains to the other portions of the claim as a whole, in a manner that would motivate a person of ordinary skill in the art at the time the invention was made to combine it as an obvious inclusion,
- The examiner found the invention as claimed to be novel, and allowed it to be patented.

For Independent claim 15.

- Prior art has been found to teach "A method of controlling a trustworthy-measure associated with a source node in a distributed network, the method comprising: receiving, from a reporting node, a report of a modification or corruption of an information file by the source node, determining a validity of the report, and degrading the trustworthy-measure associated with the source node when the report is determined to be valid; wherein determining the validity of the report includes notifying the source node of the report, and assessing a response from the source node to determine the validity of the report;..."
- Since, no prior art was found to teach:"... and wherein receiving a report of a modification or corruption of an information file by the source node includes receiving a report that the modification or corruption was not caused by a



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communication error, and assessing the response includes: determining that the report is valid if the response is a null-response, or an admittance of effecting the modification or corruption of the information, and revising the report to identify an alternative source of the modification or corruption of the information, if the response includes an acknowledgement of the modification or corruption” as it pertains to the other portions of the claim as a whole, in a manner that would motivate a person of ordinary skill in the art at the time the invention was made to combine it as an obvious inclusion,

- The examiner found the invention as claimed to be novel, and allowed it to be patented.

For Independent claim 21,

- Prior art has been found to teach “A communication network, comprising: a plurality of nodes, including at least a source node, a target node, and an administrator node, the source node having an information file and a corresponding identifying code based on content of the information file at a prior point in time, the target node being configured to: receive the information file and identifying code. transmit a discrepancy report based on at least one of: a discrepancy between the identifying code and a computed code based on received content of the information file, and an abnormality in the information file, and the administrator node being configured to: receive the discrepancy report, verify validity of the discrepancy report, and modify a trustworthy-measure associated with at least one node of the plurality of nodes in response to verifying the validity of the discrepancy report;...”

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- Since, no prior art was found to teach: "... wherein the administrator node is further configured to verify validity of the discrepancy report prior to modifying the trustworthy-measure by verifying that the discrepancy report is indicative of a modification or corruption of an information file by the source node that is not based upon a communication error" as it pertains to the other portions of the claim as a whole, in a manner that would motivate a person of ordinary skill in the art at the time the invention was made to combine it as an obvious inclusion,
- The examiner found the invention as claimed to be novel, and allowed it to be patented.

For Independent claim 26,

- Prior art has been found to teach "An administrator node in a distributed communications network for exchanging information files among a plurality of nodes, the administrator node configured to: receive a discrepancy report from a reporting node, the discrepancy report identifying a source node and an information file, verify the discrepancy report, and modify a trustworthy-measure associated at least one node of the plurality of nodes, based on whether the discrepancy report is valid;..."
- Since, no prior art was found to teach: "... and wherein the discrepancy report is based on a comparison of a code computed by the reporting node to an identifying code corresponding to contents of the information file at a prior time to determine that the discrepancy report identifies a discrepancy that is not due to a communication error, the administrator node is configured to verify the discrepancy report by: receiving the information file from the source node, and determining a

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verification code based on received content of the information file, and comparing the verification code to the identifying code.” as it pertains to the other portions of the claim as a whole, in a manner that would motivate a person of ordinary skill in the art at the time the invention was made to combine it as an obvious inclusion,

- The examiner found the invention as claimed to be novel, and allowed it to be patented.

For Independent claim 34,

- Prior art has been found to teach “A method of facilitating control of distribution of modified or corrupted files in a distributed network, the method comprising: providing a catalog of available files to nodes of the distributed network, the catalog identifying each file of the available files and a corresponding source node of each file, processing an error report from a target node that received a downloaded file from a selected source node, verifying the error report, degrading a trustworthy-measure of at least one node of the distributed network based oil a result of verifying the error report, and providing the trustworthy- measure of the at least one node to other nodes of the distributed network: wherein verifying the error report includes determining an originator node responsible for modifications to the downloaded file giving rise to the error report, wherein determining the originator node includes notifying the selected source node, and assessing a response from the selected source node to determine the validity of the error report;...”
- Since, no prior art was found to teach:”... and wherein assessing the response includes determining that the error report is valid if the response is a null-response

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or an admittance of causing the modifications to the downloaded file, and revising the report to identify an alternative source of the modifications to the downloaded file if the response includes an acknowledgement of the modifications” as it pertains to the other portions of the claim as a whole, in a manner that would motivate a person of ordinary skill in the art at the time the invention was made to combine it as an obvious inclusion,

- The examiner found the invention as claimed to be novel, and allowed it to be patented.

For dependent claims 3, 9, 16-19, 22-24, and 27-29, the claims are allowed due to their dependency on allowable independent claims 2, 8, 15, 21, and 26.

### ***Conclusion***

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: see attached form PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to YAIR LEIBOVICH whose telephone number is

Art Unit: 2114

(571)270-3796. The examiner can normally be reached on Monday-Thursday 6:30AM to 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Badderman can be reached on (571)272-3644. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Scott T Baderman/  
Supervisory Patent Examiner, Art Unit 2114

Y.L.